

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

SIMBI KESIYI WABOTE,
Plaintiff,

v.

JACKSON UDE,
Defendant.

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No. 5:21-cv-2214

ORDER

AND NOW, this 28th day of March, 2022, upon consideration of Defendant's letter-request, which is attached below, wherein he asks the Court to continue his deposition, which is currently scheduled for later today, **IT IS ORDERED THAT**:

1. Defendant's request for a continuance is **DENIED**¹;
2. Defendant and his counsel, and counsel for Plaintiff is ordered to appear at the Edward N. Cahn U.S. Courthouse and Federal Building, Courtroom C, Third Floor, 504 West Hamilton Street, Allentown at 2:00 p.m. on this day, as originally planned, at which time a settlement conference will be held for up to one hour;
3. The Court orders Mr. Wabote to make himself available by telephone during the settlement conference;
4. If a settlement is not reached in that time, then the originally scheduled deposition will take place promptly at 3:00 p.m. or earlier; and

¹ Despite Defendant's proffer that Plaintiff agreed to the requested continuance, Plaintiff states in correspondence to the Court that he "did NOT agree to postpone the deposition and ONLY agreed that Defendant may ask" the Court for a continuance. According to the Plaintiff, he was, and is still planning for the deposition to move forward as originally scheduled.

5. Defendant is hereby warned that he may be subject to additional sanctions and/or be held in contempt if he fails to appear in this Court today at 2:00 p.m.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge

BENNETH O. AMADI, ESQUIRE.

Attorney and Counselor at Law
204 Blossom Street Extension

Suite A
Lynn, Massachusetts 01901

781-581-5144

Fax: 781-581-5145

bamadilaw@verizon.net

Via Email.

March 26, 2022.

The Honorable Joseph F. Leeson, Jr.
United States District Judge
Eastern District of Pennsylvania
504 West Hamilton Street, Suite 3401
Allentown, Pennsylvania 18101

Re: Wabote v. Ude
C.A. No. 5:21-cv-02214-JFL.

**Defendant's and Plaintiff's Request for one week continuance of the
Defendant's Deposition Scheduled for March 28, 2022, in order to complete
their settlement negotiations and the resolution of this case.**

Dear Judge Leeson, Jr.,

I am the Defendant's counsel in this case. I am writing this letter on behalf of the parties in this case and based on the agreement reached between the Plaintiff and the Defendant to request the Court to continue the Defendant's deposition scheduled for Monday, March 28, 2022, for one week, in order to enable the parties to complete their settlement negotiations and the resolution of this case. The parties respectfully ask the Court to grant this request in the interest of justice.

The parties in this matter, through their Attorneys, Mr. Cilento for the Plaintiff, and myself, Mr. Amadi, for the Defendant, spoke in the evening of Friday, March 25, 2022, regarding this Wabote v. Ude matter, and agreed that the parties were presently closer to resolving this matter than ever before. We also agreed that I (Defendant's Attorney) should on Saturday, March 26, 2022, send an email to Your Honor's Chambers informing Your Honor about the parties' closeness to resolving the case, and request Your Honor to grant the parties an extension by one week on the Defendant's scheduled deposition for Monday, March 28, 2022, and to continue the 3/28/2022 Defendant's

deposition by one week, to enable the parties to conclude their settlement negotiations/agreement and report back to the court. However, if the parties fail to reach an agreement (which is doubtful), the Defendant's deposition will take place on the next adjourned date. The parties also agreed that I should follow up the Saturday's email to Your Honor's Chambers with a call to the Your Honor's Chambers on Monday morning, March 28, 2022, in relation to the parties' request in this letter.

The parties are very close to resolving this matter. They therefor respectfully ask that this request be granted.

Sincerely,

/s/Benneth O. Amadi
Benneth O. Amadi, Esquire.

cc: Attorney Mike Cilento.